

Fill in this information to identify the case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF TEXAS

Case number (if known): _____ Chapter 7

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name Rositas Tex Mex & Cantina, LLC
2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names
3. Debtor's federal Employer Identification Number (EIN) 8 3 - 4 3 9 0 0 4 6
4. Debtor's address

<p>Principal place of business</p> <p><u>7151 Preston Road</u> Number Street</p> <p><u>Suite 451D</u></p> <p><u>Frisco</u> <u>TX</u> <u>75034</u> City State ZIP Code</p> <p><u>Collin</u> County</p>	<p>Mailing address, if different from principal place of business</p> <p><u>218 N. Forest Crest Dr.</u> Number Street</p> <p>P.O. Box _____</p> <p><u>Garland</u> <u>TX</u> <u>75042</u> City State ZIP Code</p> <p>Location of principal assets, if different from principal place of business</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>
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5. Debtor's website (URL) www.rositastexmexcantina.com
6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: _____

Debtor **Rositas Tex Mex & Cantina, LLC**

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☒ Chapter 7
- ☐ Chapter 9
- ☐ Chapter 11.

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

Check all that apply:

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, AND IT CHOOSES TO PROCEED UNDER SUBCHAPTER V OF CHAPTER 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- ☐ Chapter 12

Debtor Rositas Tex Mex & Cantina, LLC Case number (if known) _____

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years? ☒ No
☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☒ No
☐ Yes. Debtor _____ Relationship _____
District _____ When _____
Case number, if known _____ MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor _____ Relationship _____

District _____ When _____
Case number, if known _____ MM / DD / YYYY

11. Why is the case filed in this district? *Check all that apply:*
☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? ☒ No
☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
Why does the property need immediate attention? *(Check all that apply.)*

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property?

Number _____ Street _____

City _____ State _____ ZIP Code _____

Is the property insured?

☐ No

☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Debtor Rositas Tex Mex & Cantina, LLC Case number (if known) _____

Statistical and administrative information

- 13. Debtor's estimation of available funds** *Check one:*
☐ Funds will be available for distribution to unsecured creditors.
☒ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.
- 14. Estimated number of creditors**
☒ 1-49 ☐ 1,000-5,000 ☐ 25,001-50,000
☐ 50-99 ☐ 5,001-10,000 ☐ 50,001-100,000
☐ 100-199 ☐ 10,001-25,000 ☐ More than 100,000
☐ 200-999
- 15. Estimated assets**
☒ \$0-\$50,000 ☐ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion
- 16. Estimated liabilities**
☐ \$0-\$50,000 ☐ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
☒ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

- 17. Declaration and signature of authorized representative of debtor**
- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - ☒ I have been authorized to file this petition on behalf of the debtor.
 - ☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/28/2021
MM / DD / YYYY

X /s/ Josefina Arroyo Cerezo

Signature of authorized representative of debtor

Josefina Arroyo Cerezo

Printed name

Managing Member

Title

Debtor Rositas Tex Mex & Cantina, LLC Case number (if known) _____

18. Signature of attorney **X** /s/ Mark S. Toronjo Date 10/28/2021
Signature of attorney for debtor MM / DD / YYYY

Mark S. Toronjo
Printed name

Toronjo & Prosser Law
Firm name

8150 N. Central Expressway
Number Street
Suite 975

Dallas **TX** **75206**
City State ZIP Code

(214) 609-8787 **mtoronjo@t-plaw.com**
Contact phone Email address

24051435
Bar number State

B2030 (Form 2030) (12/15)

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In re **Rositas Tex Mex & Cantina, LLC**

Case No. _____

Chapter 7

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept.....	<u>\$4,000.00</u>
Prior to the filing of this statement I have received.....	<u>\$4,000.00</u>
Balance Due.....	<u>\$0.00</u>

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;

b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;

c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

B2030 (Form 2030) (12/15)

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

10/28/2021

Date

/s/ Mark S. Toronjo

Mark S. Toronjo

Toronjo & Prosser Law

8150 N. Central Expressway

Suite 975

Dallas, Texas 75206

Phone: (214) 609-8787 / Fax: (866) 640-7043

Bar No. 24051435

/s/ Josefina Arroyo Cerezo

Josefina Arroyo Cerezo

Managing Member

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE: **Rositas Tex Mex & Cantina, LLC**

CASE NO

CHAPTER **7**

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 10/28/2021

Signature /s/ Josefina Arroyo Cerezo
Josefina Arroyo Cerezo
Managing Member

Date _____

Signature _____

AT&T
P.O. Box 5014
Carol Stream, IL 60197

Atmos Energy
P.O. Box 740353
Cincinnati, OH 45274

Collin County Tax Assessor
P.O. Box 8006
McKinney, TX 75070

Coserv
P.O. Box 734803
Dallas, TX 75373

CRS
1315 W. Sam Houston Pkwy. N.
Suite 100
Houston, TX 77043

CRS (R Power)
8255 E. Raintree Dr.
Suite 200
Scottsdale, AZ 85260

Cube Smart
8680 Stonebrook Pkwy.
Frisco, TX 75034

DirectTV
P.O. Box 5006
Carol Stream, IL 60197

Farmers Insurance
2301 N. Central Expressway
Suite 260
Plano, TX 75075

FreshPoint
4721 Simonton
Dallas, TX 75244

Humberto Arroyo
218 N. Forest Crest Dr.
Garland, TX 75042

Internal Revenue Service
P.O Box 7346 Philadelphia, PA 19101-7346

Jacelin Sanchez
4005 Price Rd.
Gainsville, GA 30506

Jose Arroyo
701 Laguna Dr.
Garland, TX 75043

Josefina Arroyo
218 N. Forest Crest Dr.
Garland, TX 75042

Nuco2
P.O. Box 9011
Stuart, FL 34995

Small Business Administration
1441 L. Street NW
Mail Code 5460
Washington, DC 20416

Texas Alcohol Beverage Commissions
P.O. Box 13127
Austin, Texas 7871-3127

Texas Attorney General's Office
P.O. Box 12548
Austin, Texas 78711

Texas Comptroller of Public Accounts
P.O. Box 13528
Capital Station
Austin, Texas 78711

Texas Workforce Commission
TEC Building-Bankruptcy
101 East 15th Street
Austin, Texas 78778

U.S. Small Business Administration
Office of Disaster Assistance
14925 Kingsport Rd.
Ft. Worth, TX 76155

U.S. Trustee
110 North College Avenue
Rm 300
Tyler, Texas 75702

Venture Stonebrook I, LLC
8235 Douglas Ave.
Suite 720
Dallas, TX 75225